

R 719 (anon.) Reflections upon the  
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**BULLS OF THE POPES**  
**PAUL THE THIRD,**  
**AND**  
**PIUS THE FIFTH,**  
**Emitted against KING**  
**HENRY** The 8. And **QUEEN ELIZABETH**  
**OF**  
**ENGLAND.**

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**Printed in the Year, 1686.**

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PAUL THE FIRST

PLUS THE FIFTH

CHERRY THE 3RD QUIN ELIZABETH

ENGLAND

Printed in the Year 1686

T O

The Right Honourable and truly Noble

JAMES

EARL OF PERTH,

LORD DRUMMOND, &c.

L O R D H I G H

CHANCELOUR

O F

SCOTLAND.

M Y L O R D,



*Here is nothing so much amusetb these out of the  
Communion of the Catholick Church, as the sup-  
posed guilt of Disloyalty, maliciously fixed upon the  
Roman Catholick Religion: Nor is there any thing  
more confirms this unhappy prejudice in the Hearts of Honest  
and Loyal Subjects in these Kingdoms, then the Bulls and  
dam-*



*damnatory Sentences issued out by the Popes PAUL the Third and PIUS the Fifth, against King HENRY the Eighth, and Queen ELIZABETH of England: Now untill this great mistake be removed, the Subjects divide amongst themselves, and ill Blood is Nourished, to the intollerable damage of his MAJESTY, whose Interest is the less secured while so dangerous an Hypothesis is unjustly charged on Catholick Subjects, and no vindication made to wipe off so foul a Crime: For if a Catholick Prince must not trust his Catholick Subjects, he must give only credit to these who would have the municipal Statutes of this Kingdom, made upon politick considerations, unalterable and irreversibile, never to be repealed upon the fairest emergencies, and justest reflections, that after Ages may make for the discovery of conceived prejudices, which were to bind up the hands of Princes in the prudent management of their Affairs, and restrict their supreme Right of Legislation. My LORD, I have adventured to vindicate the Church Catholick from so destructive a Doctrine in as few Words as the subject matter could allow off: And since none hath suffered the severe lasses of viperous Tongues more then Your Lordship, for that the Catholick Religion is joined in your Person with that great trust reposed in you, and yet far beyond the least tincture or suspicion of Disloyalty, I thought none fitter to shelter and protect this small Essay then Your Lordship. I give it then up, My LORD, to Your Patronage, and Tutition, in the protection whereof you will demean your self as a true SON of the Holy Catholick Church, and justifie the Honest and Religious service of*

**MY LORD,**

Your Lordships most obliged  
and most Humble Servant.

*Philothens.*





Some Reflections on the Bulls of

**PAUL THE THIRD,**

**A N D**

**PIUS THE FIFTH,**

Emitted against **K I N G**

**HENRY** The 8. And **QUEEN ELIZABETH**

**O F**

**E N G L A N D.**

**T**HE Christians of the Roman Catholick Communion believe nothing as matter of Faith, but what the Universal Church practises, or a General Council by its Decrees obliges to believe as such; And since neither the Church Catholick in diffusion, or representation practises, or by Her Cannons enjoyns as matters of Faith, *viz.* That its Lawful for Popes upon the Heads of Heresie, Schism, or scandalous iniquity to Excommunicate Kings and absolute Princes,

Princes, and thereupon to absolve their natural Subjects from their necessary alledgeance, its the highest injustice to impose this on the Catholick Religion as an Article of Faith.

To clear this, let us first consider what is the practice of the Church diffusive in this affair: Its plain that this dangerous Doctrine so destructive to Humane Societies is disowned by all Catholick Princes and Monarchs, guarding sufficiently against it by their Imperial and Royal Laws, and Constitutions: How do the Italian Princes debate their Temporal Intrests with Popes who sometimes quarrel with them, and defend their secular Rights by the Sword? And who more eagerly and vigourously vindicates his Royal prerogative in Temporal concerns against all the pretensions of Popes, then the *French King*? And its as evident that the Emperour, the Spanish and Polonian Princes by their municipal Laws assert their Imperial and Royal Rights against all mortals. And as this is the practise of Catholick Princes, so is it of the particular Churches within their Dominions and Territories, for they in their Ecclesiastical Conventions declare the independency of their absolute Princes in Temporals, and that the Church cannot pretend by vertue of the power of the Keyes directly, or indirectly to divest any absolute Prince or Monarch of his Royal Rights and Priviledges: Look to the Cannons of the late *Gallican National Assembly*, and to the Universities of *Rehemes, Caen, Poitiers, Valence, Bordeaux, Bourges, &c.* And to the whole Colledge of *Sorbon*, condemning *Sanctarellus* his propositions, viz. That the Pope might for Schism or Heresie depose Princes, and exempt Subjects from their Alledgeance: And tho' this Doctrine be charged maliciously upon the generality of the *Jesuits*, yet a provincial Council of that Order caused publickly to burn *Mariana* his Book for handling problematically that of killing Kings, and this Society in all the Catholick Territories, where they are scattred, do generally renounce that Doctrine so fatal to Civil Authority, else they should not have so easie an access to the Courts of Princes, and find with them such kind receptions as they daily do. Se-



Secondly. There is no Authority from a general Council that allows of this dangerous Doctrine, nor is there any thing like it to be found in the last general Counsel held at *Trent*, in which are all these Articles that oblige the Catholicks as matters of Faith, nor in any other general Counsel prior to that, save what is ignorantly concluded from a Decree of the *Lateran* Council held under *Innocent* 3. But to free this Counsel of any thing that looks like that unhappy Doctrine: Let us notice first, There were present at this Convention held at the *Lateran* the Emperours of the East and West, the Kings of *England*, *France*, *Hungary*, *Jerusalem*, *Cyprus*, *Arragon*, &c. By their Ambassadors, sayes *Mattheus Parisensis*, who all might have agreed together to have purged their Territories and Dominions from the Heretical crew of the *Waldenses* and *Albigenses*, so that by this compact amongst absolute Princes they might have consented upon their faileure, if not concurring to exterminate the Hereticks, that at the Churches Sentence the guilty should forfeit his Dominion and Property, and the party performing receive it: And this is as warrantable as the Convention made by the confederate Princes at *Smalcad*.

Secondly: The Persons here threatened to lose their Territories and Properties are termed by the Decree, *Domini principales*, and certainly by these the Church never understood absolute Princes, but only petty and Feudatory Lords, who being Superiors over other *Vassals*, had a Dominion *directum* over them to which Lords the *Vassals* owed Fidelity, and with that sometime Subjection, as many do in *Germany*. And of these allenerly are the Words of the *Lateran* Decree to be understood, and not of the Imperial or Regal Dignities, who *ob eminentiam dignitatis*, are still excepted from the highest censures of the Church, as you shall hear anon.

Thirdly. Its more then propable that the *Domini principales* there exprest were chiefly, if not only the Feudatory petty Superiors, who supported the *Albigenses*, continued



the Heresie and Crooked the Wars. Such as the Earls of *Tholouse*, *Foix*, *Comminges*, and Prince of *Bern*, all Protectors of these Rebellious Hereticks, and it was upon the score of this *Lateran* Decree that *Montferret* was invested in the Superiorities and Territories of *Tholouse* after the Victorious success of the Catholick Princes had against these confederate Nobles.

Let me add further that in the foresaid Decree there is no mention had of *Reges*, but of *Domini*, or of *Regna*, but *Terram*, which certainly relate to the Lands and Possessions of the petty Feudatory Lords.

Lastly, To sum up all, upon supposition that the Counsel so determined, that the Censure should reach all Dignities of the highest Quality ( which is morally impossible to think that such absolute powers should consent to their own ruin, ) yet still it must be considered that this Decree did relate only to a matter of Discipline or Ecclesiastick Government, in which cases the Church pretends not to Infallibility, for she alters her Government when unavoidable inconveniencies appear: For had that Decree been of Faith, the *Tridentine* Council had not passed it by without a determination, especially since before the Session of that Synod the Hereticks frequently charged this scandalous Doctrine upon the Roman Catholick Church: Yea had that *Lateran* Decree respected the highest Powers without exception, and the Decree being of Faith, then how could the whole University at *Paris*, April 20. 1626. have condemned *Sanctarelleus* proposition? Or how could the Collidge of *Sorbon* together with the Provincial Council of the *Jesuites*, the supposed asserters of the Popal Authority over Kings, have subscribed the said condemnation to the great satisfaction of the Parliament of *Paris*? Certainly if the *Lateran* Decree was of Faith, and extended to Imperial and Regal Dignities, then all the aforesaid Persons must have been Heretical for condemning that proposition of dethroning Princes in case of Heresie, Schism, or some enorme crime: Yea how could

could Popes themselves judicially in the meetings of Cardinals at *Rome* have censured the Books of *Bellarmino*, *Becan*, and others for asserting the Popes power of deposing Princes as aforesaid? If before this in the *Lateran* it had been matter of Faith.

We come now to consider some particular instances alledge-  
ed for proving this Doctrine to be of Faith in the *Romish* Church, such as the Bulls of *Paul* 3. against *Henry* 8., and of *Pius* 5. against Queen *Elizabeth* of *England*, wherein not only these are excommunicated, and their Subjects adhering to them, struck with the same Sentence, but all Catholick Subjects are also absolved from their alledgeance; and all Catholick Powers and Dignities abroad commanded under pain of Excommunication, not to corresponde, transact, or converse with them: They are also required to invade these Excommunicated Princes: The Popes giving the Invaders full power thereto. In answer to these sad instances, its replied by all True and Honest Catholicks. that they cannot justify the misdemeanours of particular Popes, who through mis-information pick or humour have adventured to do somethings that are unaccountable, since God hath given no promise of an infallible direction to them in all the Instances of their Life, nor hath any Catholick of the most wild and roving Humour dared to plead for their impeccability in their personal or principal Actions, that being proper for Angels and the Spirits of just Men made perfect: However, since these of the Papal Dignity have the Honour of so great and venerable a Character as to be the Chief Bishops of the Church Catholick, and to be Temporal Princes likewise, it were the highest indiscretion, to put a gross and scandalous construction upon their Actions without considering what were the motives that moved them, and measures they used in a matter that seems so Offensive to the World, and Destructive of Humane Sociery; and if ye but regard and consider the special care the Divine Providence has had of that *See* above all the particular Churches and Societies in the World, it



would fright any modest and humble Man, from passing a rash and severe Censure against the Supream Governours of that Church: Notice but how the whole Christian World near from the Infancy of Christianity was divided into three Patriarchates, whereof the chief and the most powerful was the Western Church, and the Seat thereof *Rome*, to this all had anciently recourse, saith *Irenæus*, and in so farr was the Churches Unity preserved, for that the particular Churches lived in Conjunction with this, which was founded by the two chief Apostles, *St. Peter* and *Paul*, to the first of which the Circumcision, and to the second the Incircumcision was chiefly committed, so that the whole Christian World being eminently intrusted to these two, and their charge transmitted to the Bishops of *Rome* their Successors, these eminent vast trusts conspire in this Apostolick See: And tho' Infallibility were not allowed to that particular See, yet certainly indefectability cannot in justice be denied it, for we see *defacto*, all the Churches of Apostolick Foundation have failed, and their Successions interrupted, this only remaining entire, and unless we have recourse to Her for the determination of Contraversies relating to Faith, according to the Rule of the Fathers, it shall not be possible to distinguish Catholick Truth, from Heresie: *Tertullian* particularly tells us in his Book of *Prescriptions*, that the only way left the Church by which She should distinguish Heresie, from Truth, was to have recourse *ad Ecclesias matrices*, and thereto enquire if such Doctrines were derived down to them from the Apostolick Foundation: Now since there is no Church in existence of an Apostolick Foundation whose Succession hath not been interrupted, save that of *Rome*, we must needs then have recourse to Her for settling us in matters of Faith, otherwise the Fathers Rule is not practicable, and no means left by God to secure us Infallibly from Errour: So that not only the Indefectibility of that See, but the greatness of its principality, and the Wisdom of its Clergy, the confluence of Nations towards Her, and the pro-



protection of all the Catholick Princes bestowed on Her, all these should strongly oblige us not to pass indiscreetly and rashly a Censure upon the Actions of its chief Governour.

But to come to the instances, its answered that the Bull given out by *Paul* 3 against *Henry* 8, was concerning a matter of secular intrest or plea of Law, for the ground of the Popes sentence was from that unwarrantable deed done by *John of England*, who made a resignation of his Crown to the *See of Rome*, and *England* Feudatory and himself a *Vassall* to that *See*, which deed tho its most certain was *ab origine* null and void, he having no power to alienate his Royal hereditary Rights to any in prejudice of his Lawful Heirs and Successors, yet the Apostolick *See* having had such a grant made to them, several of her Bishops continued the claim of Superiority upon the said Title, And it was certainly upon this head, that *Paul* 3 proceeded against *Henry* 8, who had by Act of Parliament renounced all Forreign Jurisdiction, by which *Paul* the third Judged the Apostolick *See*, and *St. Peters* Patrimony prejudged, and thereupon treated *Henry* 8. as his *Vassall* and absolved his Subjects from their alledgeance, and requiring all Catholick Princes to concur to the reducing him as a Rebel, who denyed fidelity to the Apostolick *See* his supposed temporal Lord. Its known to all that ever read the English History that there were great heats between the Roman *See* and the *English* Kings, upon this pretended Title of the resignation, The Pope still requiring Fidelity and other Feudatory duties from *England*, which were ever Justly denyed, Several Laws and Statutes being made in *England* to guard them against that unjust Title. And to make this appear more evident that *Paul* the 3 treated *Henry* the 8 in this Bull as his supposed *Vassal*, read but the Words of the Bull, *Seet.* 15. Where the Pope commands all that were below an Imperial and Regal Dignity, not to correspond, converse, or transact, with *Henry* the eight, or his Accomplices, or Favourers, under pain of Excommunication, but as for the Imperial and Regal Dignities, he only beseeches  
and

and exorts them so to do without threatning any such Censure, thus runs the Bull (*præterea ad dictum Henricum Regem facilius ad sanitatem, & præfatæ sedis obædientiam reducendum, omnes & singulos Christianos principes, quâcunque etiam Imperiali & regali dignitate fulgentes per viscera miserecordiæ Dei nostri (cujus causa agitur) hortamur & in dommo requirimus, eis nihil ominus, qui imperatore & Rege inferiores fuerint, quos propter excellentiam dignitatis à censuris excipimus, sub excommunicationis pænâ mandantes, ne Henrico regi ejusque complicibus, &c.*) Where its plain and undisputable to any, safe quibling Lawyers, that Imperial and Regal Dignities are still excepted from the great Censure of Excommunication, and that *propter eminentiam dignitatis*, so that *Paul* the Third in his Bull, looked on *Henry* the Eighth, as Feudatory to himself and the Apostolick See, and as no absolute Prince, tho' he was infinitely wrong in so judging: From all this it follows that the Pope dealt with *Henry* the Eighth, in a matter reputed Secular and Temporal, and they Acted one against another as Temporal Princes, contending violently for their secular Rights and concerns, in which matters all Mankind, Pope, and all may Err, and the true Holy and Catholick intrest remain entire and secure, and Catholick Princes are no worse Sons of the Church for maintaining their Rights and Priviledges against all whatsoever: Truly, this grant of King *John's* as it was Originally void and null, so it was done by a most undeserving Governour, who neither knew nor had care of his own Intrest, who was guilty of Rebellion against his Father and Brother, and who murdered his Nephew to usurp the Crown, who lost also all the English Intrest, either by conquest or matches in *France*, not to speak of his Irreligion and Atheism: And as this grant was Originally null and done by so unworthy a Prince, so it was soon revoked by his Successors in Parliament, who in so unjust a matter would have been Highly prejudged, the very Catholick Clergy detesting the Pope for the severe and unjust



Just courses against *England*, because of that Title, as the Bishops of *Durham*, *Winchester*, *Norwich*, &c. Yea the Arch-Bishop of *Canterbury*, then a Cardinal and Legate, being at *Rome*, when a Charter adorned with a Golden Bull was presented at the High Altar in presence of the King, the said Prelate stept in, as the Arch-Bishop of *Dublin* had done at the first grant, and in Name of the Clergy and Kingdom of *England* produced at the same Altar his appeals, and all the *Peers* accorded with him therein: How did *EDWARD* the First resist the claim of the after Popes? and in *EDWARD* the Third's time did *England* secure their Right by Act of Parliament, where were Prelates, Lords, and Commons, against all the Papal pretensions: Yea a Parliament was held at *London* 1214, being the Year after the Grant, where the Arch-Bishop sat as President with all the Clergy and Laity, and there by command of the Pope, the Charter, Fealty and Hommage, by which the King was obliged to the Pope, was absolutely released on the 7. of *July*: So that Catholick Princes have still vindicated their Rights against the highest Powers of the Church, and yet judged no Hereticks upon the matter.

Lets now consider *Pius 5* his Bull against Queen *Elizabeth*; Its true there he declares to all Catholick subjects that she is no true Princess and absolves her Subjects from their allegiance, but upon good ground, for first consider that if *Mary* Queen of *England* lawfully succeeded King *Edward 6* her Brother: then *Elizabeth* could have no Title, as my Lord *Beacon* acknowledgeth *H: 7: p. 206*: ( the legitimization of Queen *Mary* and *Elizabeth* are incompatible ) unless ye justify both the marriages, which no Christian will adventure, and the Kingdom not being Elective, in that case *Mary* Queen of *Scotland* should in all Justice have succeeded. *Pius 5th* in his Bull saith Queen *Mary* of *England* is legitimat (*usu namque vere religionis, quam ab illius desertore Henrico 8, olim everfam,*



*Claræ mem.*: *Maria regina legitima*, *hujus sedis præsidio reparaverat*, &c. now since *Mary Queen of England* is acknowledged the true Child by this Pope, Then was *Elizabeth* an natural: all the Lords and Commons in a Parliament in *England* held after the Death of *Edward 6.* acknowledged *Mary* for their Sovereign, and that the marriage of her Mother was good and stood with Gods Law and most Holy Word; which was this same thing as to say that *Elizabeth* was illegitimate, and *LUTHER* the great Reformer deemed her so too, says *Osburn Mem.*: *Q.* *Eliz.*: *p.* 5. Yea look to the date of her birth as its in. my Lord *Herberts*, *H.*: 8. *p.* 350. which was in September the 7. 1533, while Queen *Catherines* divorce was pronounced by *Craumer*, the Kings Casuist and judge appointed for that end, the 23. of *May* proceeding, so that her Mother was then quick whilst *Henry 8.* was yet Husband to Queen *Catherine*, which continued till the term of that Sentence: I know *Stow*, *Speed*, and others alledge a private Mariage between *Henry 8.* and *Anna Bullen*, *Elizabeth* Mother, on *January 25*, yet still *Elizabeth* is born within seven months and a few odd dayes, by which wee may guess at the Honesty of her Mother who brought forth *Elizabeth* into the World as vigorous, lusty, and healthful, as others use to be at the end of nine months. If it be said that the Pope innodates her not for her unjust Title, but for her Religion; to this its answered first, that its evident in that the Pope declared Queen *Mary* legitimate, he must have looked on *Elizabeth* as an unjust usurper, for its impossible to reconcile to them both a just Title of Succession, yea *Pius 5.* in his Bull calls her (*pretensa anglie Regina*) the pretended Queen of *England*, and so not the true.

Secondly. The sad and Unnatural, Inhumane and dishonourable usage done by *Elizabeth*, to Queen *Mary* of *Scotland*, keeping Her under restraint and in close Prison, moved the Pope to conceal Queen *Mary* of *Scotland* Her just Title, (of which he was fully perswaded) lest the ex-

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pression thereof might hasten the fatal stroke which at length befel Her.

Thirdly. When the Inhumanity which Queen *Elizabeth* used against her Cousin Queen *Mary* was noyed abroad the World over, then did *Pius* the fifth send *Ridolph* a *Florentine* to Consult with the Catholicks in *England* to an insurrection against *Elizabeth*, upon which followed the rising in Arms in the North; and tho the Catholick Lords did in their Declaration mention Religion, yet the true cause was the setting Queen *Mary* of *Scotland* the true and undoubted Heiress of *England*, and the Lords proposing Religion then, did *ipso facto* imply the alteration of Religion and Government together, and upon the advancing of the Catholick Religion followed the intrest of Queen *Mary*, so that the Pope and Catholick Lords did in this as the memorable General *Monk* did in carrying on the Loyal design of restoring our late Sovereign King *Charles II.* not daring to express his Name, least it should have marred and ruined his honest purposes.

Fourthly. *Cambden* tells us 1569. p. 160, that *Leonard Deackers* second Son to the Lord *Deackers* of *Gysland*, undertook the delivery of Queen *Mary* of *Scotland*, who then was in *Derbyshire* in my Lord *Shrewsburrys* keeping, and my Lord *Northumberland* was chief comploter in this design, and he also was chief Commander of the insurrection of the North, who as all know intended nothing so much as Queen *Mary's* Title, tho' in the Declaration of War he Judged fit to conceal and not express it. From all this then its clear that the Pope in his Bull against *Elizabeth* designed chiefly the setting of the righteous Heir, and he looked on *Elizabeth* not only as an usurper, but as a Heretical Subject also, whom all were to avoid, because of her Heresie, and not to yeild obedience or alledgeance because of her unjust Title; and in all this affair the Pope acted nothing against the Faith and Doctrine of the Catholick Church, or the true Properties, Intrests, and Priveledges, of



Christian Princes , but rather evidenced his paternal care in securing the Rights and concerns of Monarchs , and suppressing of usurping and unjust Powers , to which he might concur not only as a Ghostly Father by his Spiritual advices and censures , but as a Temporal Prince gave aid and assistance to settle and repose Lawful and righteous Heires thrust from their legal Rights.

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